

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE TREMONT SECURITIES LAW,  
STATE LAW AND INSURANCE  
LITIGATION

This Document Relates to:  
State Law Action, 08 Civ. 11183

Master File No.:  
08 Civ. 11117 (TPG)

THE LUGANO TRUST, THE HERMITAGE  
TRUST, THE JAYBEE TRUST, THE  
CONICK TRUST, THE SONICK TRUST,  
THE CLARICK TRUST, THE CALITHA  
TRUST, BRITTANY INVESTMENT  
INTERNATIONAL CORPORATION I,  
BRITTANY INVESTMENT  
INTERNATIONAL CORPORATION II,  
TRILOGY INVESTMENT HOLDING  
CORPORATION I, TRILOGY  
INVESTMENT HOLDING CORPORATION  
II, THE RAINBOW TRUST,  
IRREVOCABLE TRUST BETWEEN  
MARJORIE ALFUS AND JOEL LEVINE  
CPA, THE MAGNOLIA TRUST, THE  
INDIGO TRUST, THE SINCERITY TRUST,  
THE CORFU TRUST, THE CRETE TRUST,  
THE SPIRAL TRUST, THE JULIP TRUST,  
THE GRENOBLE TRUST, THE PROTEA  
TRUST, THE TRIESTE TRUST, THE  
LIFEGRO TRUST, THE MARIGOLD  
TRUST, THE FLAMENCO TRUST, THE  
MAMRE TRUST, THE SANDAN TRUST,  
and 2006 LIONEL LAPINER FAMILY  
TRUST,

Plaintiffs,

v.

TREMONT CAPITAL MANAGEMENT,  
INC., TREMONT PARTNERS, INC.,  
TREMONT GROUP HOLDINGS, INC.,  
TREMONT (BERMUDA) LIMITED,

*Caption continues*

09 Civ. 6840 (TPG)

*Continued from prior page*

RYE INVESTMENT MANAGEMENT, INC.,  
OPPENHEIMER ACQUISITION  
CORPORATION, MASSACHUSETTS  
MUTUAL LIFE INSURANCE COMPANY,  
KPMG LLP, BANK OF NEW YORK  
MELLON, ERNST & YOUNG LLP,  
SANDRA L. MANZKE, ROBERT  
SCHULMAN, and SHL CAPITAL LTD.,

Defendants.

THE TREMONT INSURANCE  
PLAINTIFFS' LITIGATION TRUST,

Plaintiff,

v.

KPMG LLP, KPMG (CAYMAN ISLANDS),  
KPGM INTERNATIONAL COOPERATIVE,  
BANK OF NEW YORK MELLON, and SHL  
CAPITAL LTD.,

Defendants.

10 Civ. 9274 (TPG)

~~[PROPOSED]~~ JUDGMENT

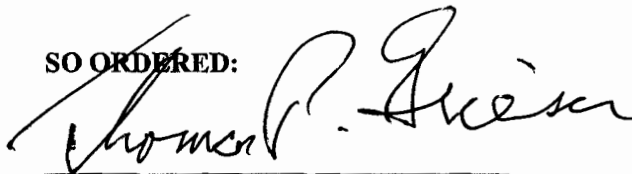
**WHEREAS**, the Court entered and approved the Notice and Stipulation of  
Voluntary Dismissal With Prejudice Of Claims Against Defendant Bank Of New York Mellon  
dated 10/3/14 ;

**WHEREAS**, that Notice and Stipulation provided for the dismissal with  
prejudice of the claims against Defendant Bank of New York Mellon in *The Lugano Trust et al.*  
*v. Tremont Capital Management, Inc.*, No. 09 Civ. 6840 (TPG) (S.D.N.Y.) and *Tremont*  
*Insurance Plaintiffs' Litigation Trust v. KPMG LLP*, No. 10 Civ. 9274 (TPG) (S.D.N.Y.);

**WHEREAS**, having dismissed those claims the Court finds that there is no just reason for delaying entry of judgment with respect to the claims asserted against Bank of New York Mellon by the Plaintiffs in those actions.

**NOW, THEREFORE** final judgment is hereby entered in the actions *The Lugano Trust et al. v. Tremont Capital Management, Inc.*, No. 09 Civ. 6840 (TPG) (S.D.N.Y.) and *Tremont Insurance Plaintiffs' Litigation Trust v. KPMG LLP*, No. 10 Civ. 9274 (TPG) (S.D.N.Y.) in favor of the Bank of New York Mellon, residing at One Wall Street in New York City dismissing with prejudice and as a final adjudication of all claims asserted against it by the Plaintiffs therein.

SO ORDERED:

A handwritten signature in black ink, appearing to read "Thomas P. Griesa", written over a horizontal line.

**HONORABLE THOMAS P. GRIESA**  
UNITED STATES DISTRICT JUDGE

10/3/14